

Union Calendar No. 394

103D CONGRESS  
2D SESSION

H. R. 4308

[Report No. 103-717]

A BILL

To amend the North American Wetlands Conservation Act to authorize appropriations for allocations under that Act for wetlands conservation projects.

SEPTEMBER 12, 1994

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 1994

Mr. DINGELL (for himself, Mr. WELDON, Mr. STUDDS, and Mr. FIELDS of Texas) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

SEPTEMBER 12, 1994

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[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To amend the North American Wetlands Conservation Act to authorize appropriations for allocations under that Act for wetlands conservation projects.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION OF APPROPRIATIONS FOR AL-**  
 2 **LOCATIONS UNDER NORTH AMERICAN WET-**  
 3 **LANDS CONSERVATION ACT.**

4 Section 7(c) of the North American Wetlands Con-  
 5 servation Act (16 U.S.C. 4406(c)) is amended by striking  
 6 “\$15,000,000” and all that follows through the end of the  
 7 sentence and inserting the following: “\$15,000,000 for fis-  
 8 cal year 1994, \$20,000,000 for each of fiscal years 1995  
 9 and 1996, \$30,000,000 for each of fiscal years 1997 and  
 10 1998, and \$40,000,000 for each of fiscal years 1999 and  
 11 2000.”.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “North American Wet-*  
 14 *lands Conservation Act Amendments of 1994”.*

15 **SEC. 2. MATCHING, REPORTING, AND REVISING REQUIRE-**  
 16 **MENTS.**

17 (a) *MATCHING REQUIREMENT.*—Section 8(b) of the  
 18 *North American Wetlands Conservation Act (16 U.S.C.*  
 19 *4407(b)) is amended by adding at the end the following new*  
 20 *sentence: “In the case of a project carried out in Mexico,*  
 21 *the non-Federal share of the United States contribution to*  
 22 *the costs of the project may include cash contributions from*  
 23 *non-United States sources that are used to pay costs of the*  
 24 *project.”.*

25 (b) *REPORT TO CONGRESS.*—Section 10(1) of such Act  
 26 (16 U.S.C. 4409(a)(1)) is amended in subparagraph (B)

1 *by striking “and” after the semicolon, in subparagraph (C)*  
 2 *by striking the period and inserting “; and”, and by adding*  
 3 *at the end the following:*

4 *“(D) wetlands conservation projects funded*  
 5 *under this Act, listed and identified by type,*  
 6 *conservation mechanism (such as acquisition,*  
 7 *easement, or lease), location, and duration.”.*

8 *(c) REVISIONS TO PLAN.—Section 11 of such Act (16*  
 9 *U.S.C. 4410) is amended—*

10 *(1) in the first sentence—*

11 *(A) by striking “1991” and inserting*  
 12 *“1998”; and*

13 *(B) by inserting “and Mexico” after “Can-*  
 14 *ada”; and*

15 *(2) by striking the second sentence.*

16 **SEC. 3. ASSESSMENT OF PROGRESS IN WETLANDS CON-**  
 17 **SERVATION.**

18 *The North American Wetlands Conservation Act (16*  
 19 *U.S.C. 4401 et seq.) is amended by adding at the end the*  
 20 *following new section:*

21 **“SEC. 19. ASSESSMENT OF PROGRESS IN WETLANDS CON-**  
 22 **SERVATION.**

23 *“Not later than January 31, 1996, the Secretary, in*  
 24 *cooperation with the Council, to further the purposes of the*  
 25 *Act shall—*

1           “(1) develop and implement a strategy to assist  
2           in the implementation of this Act in conserving the  
3           full complement of North American wetlands systems  
4           and species dependent on those systems, that incor-  
5           porates information existing on the date of the issu-  
6           ance of the strategy in final form on types of wetlands  
7           habitats and species dependent on the habitats; and

8           “(2) develop and implement procedures to mon-  
9           itor and evaluate the effectiveness of wetlands con-  
10          servation projects completed under this Act.”.

11 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR ALLO-**  
12 **CATIONS UNDER NORTH AMERICAN WET-**  
13 **LANDS CONSERVATION ACT.**

14          Section 7(c) of the North American Wetlands Con-  
15          servation Act (16 U.S.C. 4406(c)) is amended by striking  
16          “\$15,000,000” and all that follows through the end of the  
17          sentence and inserting the following: “\$20,000,000 for each  
18          of fiscal years 1995 and 1996 and \$30,000,000 for each of  
19          fiscal years 1997 and 1998.”.

20 **SEC. 5. CONSERVATION OF COASTAL WETLANDS.**

21          Section 306(c) of the Coastal Wetlands Planning, Pro-  
22          tection and Restoration Act (16 U.S.C. 3955(c)) is amended  
23          by inserting “in coastal wetlands ecosystems” after “wet-  
24          lands conservation projects”.

1 **SEC. 6. WILDLIFE PARTNERSHIP PROGRAM.**

2 *The Partnerships For Wildlife Act (16 U.S.C. 3741 et*  
3 *seq.) is amended—*

4 *(1) in section 7103(3) (16 U.S.C. 3742(3)) by in-*  
5 *serting “the States and of” after “under the leader-*  
6 *ship of”;*

7 *(2) in section 7104 (16 U.S.C. 3743)—*

8 *(A) by amending paragraph (2) to read as*  
9 *follows:*

10 *“(2) The term ‘designated State agency’ means*  
11 *the government agency, department, or division of*  
12 *any State that is empowered under the laws of the*  
13 *State to exercise the functions ordinarily exercised by*  
14 *a State fish and wildlife agency.”;*

15 *(B) in paragraph (4) by striking “section*  
16 *5(f)” and inserting “section 7105(g)”;*

17 *(C) in paragraph (8)(A) by striking the pe-*  
18 *riod and inserting a semicolon; and*

19 *(D) in paragraph (8)(C) by—*

20 *(i) striking “section 3(5)” and insert-*  
21 *ing “section 3(6)”;* and

22 *(ii) by striking “(16 U.S.C. 1362(5))”*  
23 *and inserting “(16 U.S.C. 1362(6))”;*

24 *(3) in section 7104 (16 U.S.C. 3743) by—*

25 *(A) redesignating paragraph (8) as para-*  
26 *graph (9); and*

1           (B) inserting after paragraph (7) the fol-  
2           lowing:

3           “(8) The term ‘State’ means any of the 50  
4           States, the District of Columbia, the Commonwealth  
5           of Puerto Rico, the Commonwealth of the Northern  
6           Mariana Islands, Guam, the United States Virgin Is-  
7           lands, or American Samoa.”;

8           (4) in section 7105(d) (16 U.S.C. 3744(d))—

9           (A) in paragraph (3) by inserting “and”  
10          after the semicolon;

11          (B) in paragraph (4) by striking “; and”  
12          and inserting a period; and

13          (C) by striking paragraph (5);

14          (5) in section 7105 (16 U.S.C. 3744) by amend-  
15          ing subsection (e) to read as follows:

16          “(e) NON-FEDERAL SHARE OF PROJECTS.—

17               “(1) STATE SHARE.—Of the total cost each fiscal  
18               year of each project carried out with amounts pro-  
19               vided by the Secretary under subsection (a), at least  
20                $\frac{1}{3}$  shall be paid with amounts from State, non-Fed-  
21               eral sources, except that if designated State agencies  
22               from 2 or more States cooperate in implementing  
23               such a project at least 30 percent shall be paid with  
24               amounts from such State, non-Federal sources. Pay-

1        *ments required by this paragraph may not be in the*  
2        *form of an in-kind contribution.*

3            *“(2) PRIVATE SHARE.—Of the total cost each fis-*  
4        *cal year of each project carried out with amounts pro-*  
5        *vided by the Secretary under subsection (a), at least*  
6        *1/3 shall be paid with amounts from voluntary con-*  
7        *tributions by private entities or persons, except that*  
8        *if designated State agencies from 2 or more States co-*  
9        *operate in implementing such a project, at least 30*  
10       *percent shall be paid from such sources. Subject to the*  
11       *approval of the Secretary, such contributions for a*  
12       *project may be in the form of, but are not required*  
13       *to be limited to, private cash donations, and the con-*  
14       *tribution of materials, equipment, or services nec-*  
15       *essary for the project.”;*

16            *(6) in section 7105(g) (16 U.S.C. 3744(g))—*

17            *(A) by amending paragraph (2) to read as*  
18        *follows:*

19        *“(2) The Secretary shall deposit into the Fund*  
20        *amounts appropriated to the Secretary for deposit to the*  
21        *Fund, of which not more than 4 percent shall be available*  
22        *to the Secretary to defray the costs of administering this*  
23        *chapter and evaluating wildlife conservation and apprecia-*  
24        *tion projects.”; and*

25            *(B) by striking paragraphs (3) and (4); and*



- 1           (7) *in section 7105(h) (16 U.S.C. 3744(h))—*  
2                 (A) *by striking “1995” and inserting*  
3                 *“1998”; and*  
4                 (B) *by striking “to match the amount of*  
5                 *contributions made to the Fund by the National*  
6                 *Fish and Wildlife Foundation”.*

Amend the title so as to read: “A bill to authorize appropriations to assist in carrying out the North American Wetlands Conservation Act for fiscal years 1995 through 1998, and for other purposes.”.